

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
*Western Division***

)
THE PROCTER & GAMBLE COMPANY,)
)
)
Plaintiff,)
)
)
v.)
)
THE COCA-COLA COMPANY,)
)
)
Defendant.)
)
)
)

Civil Action No. C-1-02-393
Hon. Walter Rice (C.J.)
Hon. Sharon Ovington (Magistrate)

**MOTION FOR MODIFICATION OF LIMITATIONS FOR FILING
OPENING CLAIM CONSTRUCTION BRIEFS**

Plaintiff The Procter & Gamble Company and Defendant The Coca-Cola Company jointly file the instant Motion to modify the deadline for filing opening claim construction briefs and to modify the page limit for such briefs. Pursuant to the Court's Order dated October 29, 2003, the deadline for submission of opening claim construction briefs is January 14, 2004. The parties request an extension of two days until January 16, 2004 for the filing of such briefs. In addition, pursuant to the Court's General Order No. 1, the parties request an extension of the twenty-page limit for briefs. It is anticipated that no more than forty pages will be required for such briefs.

As grounds for this Motion, the parties state that these modifications are requested in order to permit them to more thoroughly analyze and address the issues involved.

Pursuant to Local Rule 7.3, the parties certify that they have conferred regarding this Motion and have agreed to the relief requested herein.

THE PROCTER & GAMBLE COMPANY

By its attorneys,

/s/ Vinita Ferrera

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THE COCA-COLA COMPANY

By its attorneys,

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Dated: January 13, 2004

SO ORDERED:

Hon. Walter Herbert Rice (C.J.)

Date